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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/002,332	11/14/2001	Luke E. Girard	42390.P12365X	6195

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EXAMINER

WU, XIAO MIN

ART UNIT	PAPER NUMBER
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2674

DATE MAILED: 08/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/002,332

Applicant(s)

GIRARD, LUKE E.

Examiner

XIAO M. WU

Art Unit

2674

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 10 September 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-3,6-9,11-13 and 15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3,6-9,11-13 and 15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### DETAILED ACTION

1. In applicant's amendment filed 9/10/2003, applicant mistakenly put down a wrong application number. In the future communication, applicant is advised that a correct application number should be included.

#### *Claim Rejections - 35 USC § 103*

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-3, 6-9, 11-13 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fan et al. (US Patent No. 5,815,126) in view of Tamura et al. (Pub. No. US 2002/0055215).

As to claims 1, 8, 12, Fan discloses a headset (see Figs. 34A-C) comprising: a receiver (720, Fig. 35) to receive a display command (770, Fig. 35) through a wireless link (col. 16, lines 25-29 and col. 17, 4-15); and a processor (712, Fig. 35) coupled to render an image according to the display command. Fan discloses a computer-readable medium (CPU 712, Fig. 35) having stored thereon a set of instructions to translate instructions, the set of instructions, which when executed by a processor (712), cause the processor to perform a method comprising: a headset (see Figs. 34A-C) receiver (720, Fig. 35) receiving a display command (770, Fig. 35) through a wireless link (col. 16, lines 25-29 and col. 17, 4-15); and a processor (712, Fig. 35) for processing the display command and displaying an image according to the display command.

It is noted that Fan does not specifically disclose the receiver receiving a compressed bitmap file for a video frame and the processor to decompress the bitmap file for the video

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frame. Tamura is cited to teach a wireless display device (16) which can receive a compressed video data (21) and decompressed (30) the compressed video data for the display (see Figs. 2 and 3; and pp [0109-0116], pp [0138-0139] and [0146]).

It would have been obvious to one of ordinary skill in the art to have modified Fan with the features of receiving compressed video data and decompressed the video data as taught by Tamura so that the user can receive and display MPEG standard.

Furthermore, it is noted that both Fan and Tamura does not specifically disclose that the video data is a bitmap file. Estevez is cited to teach a wireless display device similar to Fan and Tamura. Estevez teaches that the display receives the compressed bitmap data and decompresses the bit-map data (page 1, pp0020). It would have been obvious to one of ordinary skill in the art to have modified Fan and Tamura with the transmission of the bit-map data as taught by Estevez so as to compressing, decompressing and displaying the video image in real-time (page 1, pp0005, 0006).

As to claim 2, Fan discloses the headset includes a monocular display (1102', Fig. 34A) to display the image.

As to claim 3, Fan discloses the headset receives the display command from a server to change an image displayed on the monocular display. For example, as shown in Fig. 37, the commander in the fire truck can send the building map information to the firefighter and display on the monocular display (see col. 37, line 36 to col. 18, line 10).

As to claim 6, 11, and 15, Tamura discloses receiving the compressed bitmap file in accordance with Motion Pictures Experts Group (MPEG) protocol (see pp [0029]).

As to claim 7, Tamura discloses a Bluetooth enabled link (see pp[0139]).

As to claim 9 and 13, Fan discloses including a headset mounted monocular display (1102', Fig. 34A) displaying the image.

***Response to Arguments***

4. Applicant's arguments filed 9/10/2004 have been fully considered but they are not persuasive. Applicant argues that Tamura is limited to disclosing the wireless transmission of compressed video data to a terminal to be decompressed and Tamura does not disclose nor suggest the wireless transmission of compressed video data to a headset to be decompressed, or some alternative thin client-processing device. Applicant's arguments are not persuasive because Tamura clearly teaches that the display section is portable electronic equipment which is equivalent to the headset.

***Conclusion***

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Xiao Wu whose telephone number is (703) 305-4721.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Hjerpe, can be reached on (703) 305-4709.

**Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**or faxed to:**

**(703) 872-9306**

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377

xw

August 6, 2004

  
**XIAO WU**  
**PRIMARY EXAMINER**  
**ART UNIT 2674**